

Appl. No. 09/631,239
Amdt. Dated 05/07/2004
Reply to Office action of Nov. 7, 2003

REMARKS/ARGUMENTS

In the specification, the title has been amended so that information is not repeated from the abstract (P. 2). This change moots the examiner's objection to the abstract (P. 3).

In amended Figure 4, text derived from the specification has been added into the boxes to meet the requirements of the examiner's objection (P. 4).

Claims 1-22 remain in this application.

Claims 2, 10-11, and 13-16 have been amended to more clearly recite the presence of a computer having a voice-recognition system. The amendment to claim 2 is intended to be cosmetic in nature, and no limitation or broadening of the claim is intended. Amendments to claims 10-11 and 13-16 are intended to be broadening in nature.

Paragraph 6 of the Office action asserts that claims 1-22 are unpatentable over the combination of the Sneh ('635) and Firman ('303) references.

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As to claim 1, Sneh discloses an interface used typically by a physician or surgeon which is used to enter clinical reports (column 1, lines 62-67). The primary purpose for this interface is to permit a user to work with a computer without using their hands (column 2, lines 7-11). It has a command mode of information in which a program can be selected (column 2, line 9-11). One such command is "start dictation" (column 2, lines 30-38). This dictation mode lasts for a preset time (e.g., 28 seconds), and then after this time has expired, the interface switches automatically back into a command mode. There is no way to switch to a command mode earlier than the preset time, nor will the user be able to remain in dictation mode for a time greater than the preset time, without first going back into command mode and issuing the "start dictation" command. See column 2, lines 30-39 – especially lines 37-38 ("The user must then reinstitute the command if additional dictation is required"). Sneh thus teaches away from a system which uses a switch to switch between a command-mode of operation and a text-mode of operation. Firman fails to cure the deficiencies of Sneh. Firman discloses a conventional voice recognition system which uses a command phrase dictionary (see page 2, paragraph 1 of the instant specification) and has a single mode of operation. In this single mode of operation, spoken text is used to control a computer or insert text, depending on the words spoken (see column 2, lines 17-21 – the citation provided in the prior Office action). There is no mention of switching between a text-mode and a command-mode, just between commands that result in the inserting of text and commands that result in the performance of commands. Thus, the two references in combination

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cannot render obvious the claimed invention. Furthermore, no motivation to combine the references is given other than "because Firman teaches that such switching operations are well known to control these types of desired functions". As Firman does not disclose the switching between modes of operation as claimed, it simply cannot be the basis for the motivation to modify the Sneh reference.

As to claims 2, 4, 9, 10, 12-16, 18, 19, and 21, it is agreed that mice and keyboards (wireless or not) are well known in the art; however, the use of such is not well known to switch between modes of operation as is instantly claimed.

As to claims 3, 11, and 12, microphones are well known in the art, but again, they are not well-known for switching between modes of information as is instantly claimed.

As to claims 5-8, applicant does not contest that a person of ordinary skill would be able to modify a system for use with a slide switch; however, the examiner has not given any disclosure of such a slide switch being used in a similar system, and applicant thus traverses any examiner official notice that use of such a slide switch would be well known in voice recognition system art.

As to claims 17, 20, 22, Sneh in combination with Firman fails to render obvious the claimed system, as is expanded above for claim 1.

The application is believed to be in condition for allowance, and applicant thus respectfully requests that a timely Notice of Allowance be issued in this

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case. If the examiner has any questions or concerns, he is invited to contact
Richard W. Ward at 703-823-1495 to set up a telephonic or personal interview.

Respectfully submitted,

A handwritten signature in cursive script that reads "Richard W. Ward".

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